



SN 10/749,736

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Amjad Hanif et al. Examiner: Susanna Meinecke-Diaz  
Serial No.: 10/749,736 Group Art Unit: 3684  
Filed: December 30, 2003 Docket: 2043.022US1  
Patent No. 7,716,079  
Title: FEEDBACK CANCELLATION IN A NETWORK-BASED TRANSACTION  
FACILITY

STATEMENT OF FACTS UNDER 37 C.F.R. § 1.705(b)(2) IN SUPPORT OF  
APPLICATION FOR POST ISSUE PATENT TERM ADJUSTMENT

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The following is a statement of facts in support of the application for patent term adjustment.

Applicants have calculated the correct patent term adjustment as **803 days**, which was calculated as follows:

Filing date	12/30/2003
Allowance date	09/14/2009
Patent Issue date	05/11/2010
Filing date PLUS 3 years	12/30/2006
"A" delays + "C" delays [Compensation for delay due to interference, secrecy order, or successful appellate review]	731 days (i.e., 0 days + 731 days)
"B" delay [3 Years PTO patent issue delay days MINUS Pre-Issue "A" delay (that overlap with "B" delay) MINUS "B" delay exclusions (RCE days, Successful Appellate Review Days etc.)]	243 days [i.e., 1228 days - 0 days - (254 days + 731 days)]
"A" delay PLUS "B" delay PLUS "C" delay	974 days (i.e., 0 days + 731 days + 243 days)
Total Applicant Delay (as calculated by USPTO)	[171 days]

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Total PTA with "B delay" in view of Wyeth	803 days (i.e., 0 days + 731 days + 243 days – [171 days])
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The patent issuing on this application **IS NOT** subject to a terminal disclaimer.

Applicant has detailed above any circumstances during the prosecution of the present application that may constitute a failure to engage in reasonable efforts to conclude processing or examination of the application as set forth in 37 C.F.R. § 1.704.


As set forth above, Applicants' patent term adjustment should be **803 days**, and Applicants respectfully request notification to that effect. The Commissioner is invited to contact Applicants' attorney at (408) 406-4855 with any questions concerning this submission.

Respectfully submitted,

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Date 7/23/2010

By



James H. Salter  
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 23 day of July, 2010.

Melissa Marsh

Name

  
Signature